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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,259	11/28/2001	Jerry Moscovitch	500500008USB	2432
54984 7590 05/31/2007 MASS ENGINEERED DESIGN INC. 474 WELLINGTON STREET WEST TORONTO, ON M5V-1E3 CANADA			EXAMINER SHAPIRO, LEONID	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 05/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/869,259

Applicant(s)

MOSCOVITCH ET AL.

Examiner

Leonid Shapiro

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4,5,7,8,10-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-5,7-8,10,15-16 is/are rejected.
- 7) ☒ Claim(s) 9,11-14 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 4,7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 5,768,163) in view of Conway et al. (US patent No. 5,278,779) and Leveridge et al. (5,904,328).

As to claim 4, Smith teaches a dual computer display system (see Col. 1, Lines 5-8) comprising
a first computer display connected to a computer having a first image surface for displaying a first computer image (See Fig. 3, item 16, Col. 4, Lines 7-9); and
a second computer display pivotably connected at a pivotable connection to the second computer having a second image surface for displaying a second computer image (See Fig. 3, item 17, Col. 4, Lines 7-17).

Smith does not disclose second display moveable about at least two generally orthogonal axes about the pivotable connection.

Conway et al. teaches second display moveable about at least two generally orthogonal axes about the pivotable connection (See Figs. 1A-1D, Col. 2, Lines 24-56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Conway et al. teaching into Smith system in order to protect screen in the folding position (see Col. 2, Lines 42-45 in the Conway et al. reference).

Smith and Conway et al. do not disclose the second computer display can assume a lateral operating position in which the first and second computer displays are oriented laterally and the second image is viewable by a person viewing the first image.

Leveridge et al. teaches the second computer display can assume a lateral operating position in which the first and second computer displays are oriented laterally and the second image is viewable by a person viewing the first image (fig. 1, items 12,14, col. 3, lines 1-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Leveridge et al. teaching into Smith and Conway et al. system in order to provide for multiple monitors (col. 1, lines 32-35 in the Leveridge et al. reference).

As to claim 7, Smith teaches a second computer display is movable between a vertical operating position in which the first and second computer displays are oriented vertically (See Fig. 3, items 16-17, Col. 4, Lines 7-17), second image is viewable by the person viewing the first image (See Fig. 3, items 16-17, Col. 4, Lines 7-9); a lateral operating position in which the second image is viewable by another person opposite the person viewing the first image (See Fig. 2, items 11,17, from Col. 3, Line 61 to Col. 4, Line 6).

As to claim 8, Smith teaches the second computer display is further moveable to a stored position in which the second image surface faces the first image surface (See Fig. 1, item 17 and Fig. 3, item 16).

2. Claims 5, 10 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leveridge et al. (US patent NO. 5,904,328; hereinafter referred to as Leveridge) in view of Smith.

As to independent claim 5, Leveridge shows a computer display support structure (figure 2) that includes a support member (18), a support arm (84 and 88) said support arm capable of supporting toward one end thereof a first computer display that display a first image (26), and said support arm capable of supporting toward an opposite end thereof a second computer display (28), which displays a second image at least one of the ends being moveable between a first operating position in which the second image is viewable by a first person viewing the first image (fig. 1, col. 2, line 59 through col. 3, line 15).

While Leveridge shows two arrows (figure 1) that suggests changing the distance between the two displays and the rotations of the two displays, Leveridge fails to clearly teach a second operating position in which the second image is viewable by a second person opposite the first person viewing the first image.

However, Smith (figure 2) teaches a second operating position in which the second image is viewable by a second person opposite the first person viewing the first image (See Fig. 2, items 11,17, from Col. 3, Line 61 to Col. 4, Line 6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Smith of enabling the second display to be rotatable to face the opposite direction of the first display, to be incorporated to Leveridge's device so as motivated by Smith, to enable make versatile attachment (col. 1, lines 5-8).

As to independent claim 15, the claim is substantially similar to independent claim 5, and would be rejected similarly as shown with respect to claim 5 above.

As to claim 10, as can be seen in figure 2, Leveridge shows the two ends (90) is being hinged and extendable along the hinge and the support member (col. 3, lines 1-6).

As to claim 16, as can be seen in figures 1-2, Leveridge shows that the pivot points are equidistant from the first and second edges (90).

Allowable Subject Matter

3. Claims 18,9,11-14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Relative to claim 18 the major difference between the teaching of the prior art of record (Smith, Conway et al. and Leveridge et al.) and the instant invention is that at least one of the ends is extendable between a retracted configuration and an extended configuration, thereby varying the distance between the first and second computer displays.

Claims 9,11-14 depend on claim 18.

Response to Arguments

5. Applicant's arguments with respect to claims 4-5,7-8,10,15-16 have been considered but are moot in view of the new ground(s) of rejection.

Telephone Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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LS
05.25.07

A handwritten signature in black ink, appearing to read 'R. Hjerpe', written in a cursive style.

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600